

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: **Shen et al.**

Assignee: **Atwood Mobile Products, Inc.**

U.S. Patent No.: **5,650,054** **Date Issued:** **July 22, 1997**

Application No.: **522,946** **Date Filed:** **September 1, 1995**

Title: **LOW-COST ROOM TEMPERATURE CARBON MONOXIDE AND
TOXIC GAS SENSOR WITH HUMIDITY COMPENSATION
BASED ON PROTONIC CONDUCTIVE MEMBRANES**

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.178(b)

Dear Sir:

This statement is being made pursuant to 37 C.F.R. § 1.178(b) to call to the attention of the Patent Office that the above-referenced patent, which is the subject of a reissue application, is currently involved in a reexamination proceeding (Reexamination 90/006,209).

In the Reexamination Proceeding, each of claims 14-28, 35-51 and 53 of U.S. Patent No. 5,650,054 has been found allowable and each of claims 1, 5-9, 11-13, 29-34, 52, 57-61 and 63-65 stands finally rejected. In the reexamination proceeding, Applicants presented claims 70-72 (which are presented in the reissue application as claims 66-68), but the Examiner refused entry of claims 70-72. Patentee filed an Appeal Brief on 19 April 2003 appealing the decision of the Examiner.

Because this reissue application was filed to claim subject matter that was refused entry in the reexamination proceeding, the reissue application and the reexamination

proceeding should not be merged and the claims of the reissue application should be examined.

In addition, because the reissue application will be examined and issue long before any decision by the Board of Patent Appeals and Interferences in the reexamination proceeding, the reissue application should not be stayed pending a decision in the reexamination proceeding.

Therefore, because the Patent Office will issue a final decision on the claims presented in the reissue application earlier than any final decision will be entered in the reexamination proceeding, the reissue application should not be merged with the reexamination proceeding, and the reissue application should not be stayed pending a decision in the reexamination proceeding.

Respectfully submitted,
Shen et al.

Date: 17 July 2003

By: 

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